(1) (3)

IN THE HIGH COURT OF CHHATTISGARH, JUDICATURE AT BILASPUR

Writ Petition No. 3555 /2005

P.R. No. 3651/05
Presented by Shri Shrivastava
dated 28/12/05

Petitioner : M/s. Gangotri Limes Pvt. Ltd.,
Managing Director Ganga Ram Sharma,
Son of Late Shri Uday Narayan Sharma,
Aged about 53 years,
Resident of Lakhe School Complex,
Near Gandhi Chowk, Raipur
(Chhattisgarh)

Versus

Respondents :
1. State of Chhattisgarh through Secretary, Department of Mines and Minerals, D.K.S.Bhawan, Raipur
2. Collector, Raipur
3. Mining Officer, Raipur.

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT, ORDER OR DIRECTION TO DO JUSTICE IN THE MATTER

Details of the petition.

XI-HC-22

(44)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 3555/ सन् 2005

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	5-8-2005 Mr. Ramakant Mishra, counsel for the petitioner. Mr. Yashwant Singh Thakur, Govt. Advocate for the State/ respondents. Heard both the counsel. The petitioner has preferred this writ petition under Article 226/227 of the Constitution of India, being aggrieved by the inaction on the part of respondent No.2 in not giving permission to the petitioner to work on the lease mines. The case of the petitioner is that under Section 247 of the Chhattisgarh Land Revenue Code, ownership of the land vests with the State Government. therefore, the petitioner applied for mining lease of the area of 12.54 acres of the land situated at Village: Lalpur, Tehsil & District: Raipur, and mining lease was granted to the petitioner on 13-12-1998, and deed Annexure P-1 was also executed. Thereafter, the petitioner requested respondent No.2 to give working permission, but the same was not given. Lastly, the petitioner sent a notice-cum-representation Annexure P-3 to respondent No.2 for giving working permission, however, respondent No.2 has not responded thereto. Learned counsel for the petitioner prayed for a direction that respondent No.2 be directed to decide the representation and notice dated 11-7-2005 of the petitioner, to which learned Govt. Advocate has no objection. Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, respondent No.2 is directed to decide the representation-cum-notice dated 11-7-2005 of the petitioner on its own merits, in accordance with law. within a period of two months. With the direction aforesaid, the petition stands disposed of. Consequently, I.A.No.6701/2005 also stands disposed of. Parties are entitled for certified copy of this order. Sd/- L.C. Bhadoo Judge	

Soma
10.8.05
25.8.05